

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**RUTHIE LEE WELLS**

§

**PLAINTIFF**

§

**v.**

§

**CAUSE NO. 1:05CV394**

§

**THE PANTRY, dba KANGAROO  
STORE NO. 3393**

§

§

**DEFENDANT**

**JUDGMENT**

This matter came on for hearing on October 26, 2006 on the Motion for Summary Judgment filed by Defendant The Pantry, dba Kangaroo Store No. 3393 [16 and 25], and the Court, after a full review and consideration of the Defendant's Motion, the pleadings on file, arguments of counsel and the relevant legal authority, finds that in accord with the order entered herewith,

**IT IS ORDERED AND ADJUDGED** that because there is no genuine issue as to any material fact, judgment is rendered in favor of the Defendant pursuant to FED. R. CIV. P. 56. Plaintiff's case is hereby dismissed with prejudice against the Defendant. All remaining pending motions are hereby rendered moot.

**SO ORDERED AND ADJUDGED** this the 26<sup>th</sup> day of October, 2006.

*s/ Louis Guirola, Jr.*  
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LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE